

E2
9/22/89



22 SEP 1989

5HSM-12

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Request for Information Pursuant to Section 104(e) of CERCLA and Section 3007 of RCRA, for the Revere Copper and Brass Site in Detroit, Michigan.

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) has conducted response actions to address contamination at the Revere Copper and Brass Site in Detroit, Michigan. U.S. EPA took these actions under authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., as subsequently amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 (CERCLA as amended). U.S. EPA is presently investigating several parties' involvement or association with the Site.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. Section 9604(e), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Pub. L. 99-499, and pursuant to Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6927, you are hereby requested to respond to the Information Requests enclosed. Compliance with the enclosed Information Requests is mandatory. Failure to respond fully and truthfully to each and every Information Request within thirty (30) days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by U.S. EPA pursuant to Section 3008 of RCRA under which U.S. EPA may seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued noncompliance, and/or pursuant to Section 104(e)(5) of CERCLA which, as amended, authorizes the United States to seek penalties from a Federal Court of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance.

"Non-compliance" is considered by U.S. EPA to be not only failure to respond to the Requests but also failure to respond completely and truthfully to each Request. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties of up to ten thousand dollars (\$10,000) or up to five (5) years of imprisonment or both under 18 U.S.C. Section 1001. The U.S. EPA has the authority to use the information requested herein in an administrative, civil or criminal action.

This Information Request is directed to your company, its officers, directors and employees, and its subsidiaries, divisions, facilities and their officers, directors and employees. The relevant time period for this request is 1928 to the present. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Your response to this Information Request should be mailed to:

Nancy J. Justus
Superfund Program Management Branch
U.S. Environmental Protection Agency, 5HSM-12
230 South Dearborn Street
Chicago, Illinois 60604

Please direct any questions to Nancy Justus, at (312) 353-9046. Direct any legal questions you may have to Thomas Kenney at (312) 353-1027.

Due to the seriousness of the problem at the Site and the legal ramifications of your failure to respond promptly and properly, U.S. EPA strongly encourages you to give this matter your immediate attention and to respond to these Information Requests within the time specified above.

Thank you for your cooperation in this matter.

Sincerely,

Mary A. Gade, Associate Division Director
Office of Superfund

Enclosure

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Sincerely,

Mary A. Gade, Associate Division Director
Office of Superfund

Enclosure

5HSM-12:YG:8/11/89:#2:N.JUSTUS:REVERE.INF:OWNER 28-80

CONCURRENCE REQUIRED			
ADMINISTRATIVE SUPPORT SECTION, DEPT. OF THE INTERIOR			
FILED	8/11/89	8/19/89	9/22/89
FILED	8/11/89	8/19/89	9/22/89
FILED	8/11/89	8/19/89	9/22/89
FILED	8/11/89	8/19/89	9/22/89

REVERE COPPER AND BRASS SITE

INSTRUCTIONS

1. A separate response must be made to each of the questions set forth in this Information Request.
2. Precede each answer with the number of the Information Request to which it corresponds.
3. In answering each Information Request, identify all contributing sources of information.
4. If information not known or not available to the Respondent as of the date of submission of its response should later become known or available, Respondent must supplement its response to U.S. EPA. Moreover, should the Respondent find, at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, respondent must notify U.S. EPA as soon as possible.
5. For each document produced in response to this request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
6. You must respond to the Information Request on the basis of all information and documents in your possession, custody or control or in the possession, custody or control of your former or current employees, agents, servants, contractors or attorneys. Furnish such information as is available to you, regardless of whether or not it is based on personal knowledge, and regardless of source.
7. Your response should be accompanied by a notarized affidavit from a responsible company official or representative stating that a diligent record search has been completed and that there has been a diligent interviewing process with all present and former employees who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal or handling practices of the Respondent between 1928 and the present. To the extent that any information you provided relating to these Requests is based on your personal knowledge, or the personal knowledge of your employees, agents, or their representatives, this information shall be in the form of a notarized affidavit.
8. If any documents requested herein have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify each such document, identify the person to whom it was transferred, describe the circumstances surrounding such transfer or other disposition, and state the date or approximate date of such transfer or other disposition.

9. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. [See 41 Federal Register 36902 et seq. (September 1, 1976); 43 Federal Register 4000 et seq. (December 18, 1985)]. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by U.S. EPA without further notice to you. You should read carefully the above-cited regulations, together with the standards set forth in Section 104(e)(7) of CERCLA, before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim, as stated in Section 104(e)(7)(ii) of CERCLA.

DEFINITIONS

For the purpose of the Instructions and Requests for Information set forth herein, the following definitions shall apply:

1. The term "you" or "Respondent" shall mean the addressee of the Request, the addressee's officers, managers, employees, contractors, trustees, predecessors, successors, assigns, subsidiaries, and agents.
2. The term "person" as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. "The Site" or "The Facility" shall mean and include the entire property on which the Revere Copper and Brass Site was located.
4. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, including mixtures of hazardous substances with other substances including petroleum products.
5. The term "pollutant" or "contaminant" shall have the same definition as that contained in Section 101(33) of CERCLA.
6. The terms "furnish", "describe", or "indicate" shall mean turning over to EPA either original or duplicate copies of the requested information in the possession, custody, or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to an information request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control then indicate where such information or documents may be obtained.

7. The term "identify" means, with respect to a natural person, to set forth his full name, present or last known business address, the name of that employer and a description of the job responsibilities of such person.
8. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g. corporation, partnership, etc.). organization, if any, and a brief description of its business.
9. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance of the subject matter.
10. "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substances or pollutants or contaminants.
11. As used here, "document" and "documents" shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by the way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, cancelled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements, and the like, diary, calendar, desk pad, scrap book, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording or any type of device, any punch card, disc, or disc pack; and any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc or disc pack, tape or other type of memory and together with printouts of such punch card, disc or disc pack, video tape or other type of memory); including (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like of it, (c) drafts, (d) attachments to or enclosures with any documents and (e) every document referred to in any other document.
12. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Information Requests any information which might otherwise be construed to be outside their scope.

REQUESTS

1. Identify all persons consulted in the preparation of the answers to these Information Requests.
2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests and provide copies of all such documents.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Requests or who may be able to provide additional responsive documents, identify such persons.
4. List the EPA Identification Numbers of the Respondent.
5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants including Polychlorinated Biphenyls (PCB's), and damages resulting therefrom.
6. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal or other handling of hazardous substances including PCB's by you, your contractors, or by prior owners and operators.
7. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials including PCB's? If the answer to the preceding questions is anything but an unqualified "no", identify:
 - a) The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance;
 - b) Who supplied you with such hazardous substances;
 - c) How such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
 - d) When such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
 - e) Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and

- f) The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you;
8. Identify all liability insurance policies held by Respondent from 1928 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.
 9. Provide copies of all income tax returns sent to the Federal Internal Revenue Service in the last three years.
 10. If Respondent is a Corporation, respond to the following requests:
 - a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.
 - b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to those filed with the Internal Revenue Service.
 - c) Identify all of Respondent's current assets and liabilities and the person who currently own or are responsible for such assets and liabilities.
 11. If Respondent is a Partnership, provide copies of the Partnership Agreement.
 12. If Respondent is a Trust, provide all relevant agreements and documents to support this claim.
 13. State the dates during which you owned, operated or leased the Site and provide copies of all documents evidencing or relating to such ownership, operation of lease arrangement (e.g., deeds, leases, etc.)
 14. Identify the prior owners of the Site. For each prior owner, further identify:
 - a) The dates of ownership;
 - b) All evidence showing that they controlled access to the Site; and
 - c) All evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.

15. Identify the prior operators, including lessors, of the Site. For such operator, further identify:
 - a) The dates of operation;
 - b) The nature of prior operations at the Site;
 - c) All evidence that they controlled access to the Site; and
 - d) All evidence that a hazardous substance, pollutant, or contaminants was released or threatened to be released at or from the Site and/or its solid waste units during the period that they were operating the sits.
16. Provide copies of all local, state, and federal environmental permits ever granted for the Facility or any part thereof (e.g., RCRA permits, NPDES permits, etc.).

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9/28/79

REVERE COPPER AND BRASS, INC.
P.O. BOX 10327
HIGH RIDGE PARK
STAMFORD, CT 06904

CORPORATION TRUST COMPANY
CORPORATION TRUST CENTER
1209 ORANGE STREET
WILMINGTON, DE 19801

OWEN FINANCIAL GROUP
315 NORTH FLAGLER DRIVE
NORTH BRIDGE TOWER I, SUITE 600
WEST PALM BEACH, FL 33401